

### **REMARKS/ARGUMENTS**

Applicants have carefully reviewed the Examiner's Office Action dated June 3, 2005, in which the Examiner rejected claims 1, 3 and 5 under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art shown in Fig. 7 and defined on pages 1 and 2 of the specification, in view of Ogden (U.S. Patent No. 4,478,666); rejected claims 2, 4 and 7 under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art, in view of Ogden, and further in view of Miwa (U.S. Patent No. 4,625,097); rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art in view of Ogden; and rejected claims 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art, in view of Ogden, and further in view of Miwa.

#### **Rejections under 35 U.S.C. 103(a)**

The rejections of claims 1-7 under 35 U.S.C. 103(a) are respectfully traversed on the grounds that none of the references of record, including U.S. Patent Nos. 4,478,666 (Ogden) and 4,625,097 (Miwa), whether considered individually or in any reasonable combination, discloses or suggests an equipment utilizing water comprising: an operation section provided on the top or side of a main body of the equipment; an outer member including a transparent member, a transparent film formed thereon, and a colored decoration provided on a surface of the transparent member opposite to the transparent film, wherein the operation section is comprised of only the transparent film. Furthermore, the operation section being comprised of only the transparent film is not admitted prior art.

Further, the Ogden and Miwa patents, whether considered individually or in any reasonable combination with each other or the admitted prior art, fail to disclose or suggest equipment, as defined in claim 5, comprising: an operation section provided at top or side of a main body of the equipment utilizing water; and an outer member including a transparent member, a transparent film formed on a top surface of the transparent member, and a colored member integrally formed on a bottom surface of the transparent member, wherein the outer member has a portion comprised of only the transparent film and the operation section is disposed at the portion comprised of only the transparent film, wherein the colored member is formed of a material identical to that of the transparent member or a material tightly formable with the transparent member.

Because of the positively recited combination of features, the present invention offers a transparent texture quality in outer appearance as well as a depth and classic texture quality in design. And at the same time, characters or figures on a surface of the equipment can be presented in a stereovision to thereby make them easily visible.

Here, Applicants wish to point out that the present invention is most superior to the prior art described as a background art in the specification, *i.e.*, the admitted prior art. In contrast to the transparent texture quality, depth and classic texture quality, and stereovision, provided by the present invention, equipment utilizing water in accordance with the prior art does not even remotely consider the texture quality, and cannot provide such a preferable result, as is evident from the attached photographs (Exhibit I). The attached photographs clearly show the difference. The upper photograph shows an equipment utilizing water in accordance with the present invention, while the lower one shows an equipment utilizing water in accordance with the prior art. As is clear from the attached photographs, the difference in appearance

of the two panels is significant, and cannot be deduced from the prior art by an ordinary person skilled in the art.

The Ogden patent is directed to a membrane switch control panel arrangement and label assembly for labeling same, and not to an equipment utilizing water or anything similar. Ogden neither discloses nor suggests an operation section that is comprised of only a transparent film, while the remaining portion of the outer member is covered with both of a transparent member and the transparent film. In Ogden, the quadrilateral marginal line 90 numeral 92, which may be thought as an operation section, are just an indicia printed on a surface of a legend sheet 16 (a transparent member), and therefore are comprised of both a transparent member (a legend sheet 16) and a transparent film (a cover sheet 18). It should also be noted that the texture quality has never been considered in Ogden.

As a result, Ogden cannot obtain the transparent texture quality, the depth and classic texture quality, and the stereovision, of the present invention.

Accordingly, applicants most respectfully submit that it is not obvious at all in view of Ogden that the aforementioned advantages - a transparent texture quality, a depth and classic texture quality, and a stereovision of characters and figures for the readability - can be obtained by modifying the prior art equipment utilizing water, as claimed in the present invention. The prior art does not contain the necessary motivation to modify the reference to arrive at the claimed invention, absent Applicants' teaching. See, *e.g.*, *In re Fritch*, 23 USPQ 1780, 1784 (Fed. Cir. 1992) ("It is impermissible to engage in hindsight reconstruction of the claimed invention, using the applicant's structure as a template and selecting elements from references to fill the gaps.").

The Examiner's hindsight combination of APA and Ogden is believed entirely improper in the absence of any suggestion, teaching or motivation given in any of the prior art references to do so, and inasmuch as one skilled in the art would have no reason to make such combination.

Furthermore, even assuming, arguendo, that such combination were proper, such combination still cannot render the present invention obvious because neither APA nor Ogden discloses or even implies the operation section comprises exclusively of transparent film according to the present invention. Accordingly, even if every single disclosure contained in each of the references is selectively chosen and stacked together against the present invention, such combination cannot possibly suggest to an ordinary person in the art the inventive features of the present invention.

Moreover, other cited references also do not disclose the aforementioned inventive features of the present invention. Accordingly, it is respectfully submitted that claims 1 and 5 define a patentable invention over the prior art references, including APA, Ogden and Miwa collectively or individually; and is, therefore, allowable.

It is also believed that claims 2-4 and claim 6-7, depending on claims 1 and 5 respectively, are allowable for the same reasons indicated with respect to claims 1 and 5, and further because of the additional features recited therein which, when taken alone and/or in combination with the features recited in claims 1 and 5, remove the invention defined therein further from the disclosures made in the cited references.

As stated above, the prior art references do not show the inventive features of the present invention. Accordingly, it is most respectfully submitted that the claims define patentable inventions over the prior art references and, therefore, are allowable.

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Amendment dated:  
Reply to OA of: June 3, 2005

Attachments: Photographs of equipment utilizing water, the upper one in accordance with the present invention and the lower one in accordance with a prior art.


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### CONCLUSION

Applicants believe that this is a full and complete response to the Office Action. For the reasons discussed above, applicants now respectfully submit that all of the pending claims are in complete condition for allowance. Accordingly, it is respectfully requested that the Examiner's rejections be withdrawn; and that claims 1-7 be allowed in their present forms. If the Examiner feels that any issues that remain require discussion, he is kindly invited to contact applicant's undersigned attorney to resolve the issues.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,  
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